IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA,

VS.   CRIMINAL ACTION NO. 1:04CR162-P-D

ERIC BRADSHAW,   DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant Eric Bradshaw's fifth Motion to Continue Trial Setting [32-1]. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for August 15, 2005. Defense counsel avers that Bradshaw is on bond and any continuance would not prejudice his right to a speedy trial. Counsel also states that the Defendant and the Government are currently in plea negotiations and the parties have a reasonable belief that with additional time, a plea may be reached. The Government has no objection to a continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from August 15, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1)   Eric Bradshaw's Motion to Continue Trial Setting [32-1] is hereby **GRANTED**;

(2) Trial of this matter is continued until Monday, September 26, 2005 at 9:00 a.m. at the

United States Courthouse in Greenville, Mississippi;

(3) The delay from August 15, 2005 to September 26, 2005 is excluded as set out above;

(4) The deadline for filing pretrial motions is September 6, 2005; and

(5) The deadline for submitting a plea agreement is September 13, 2005.

SO ORDERED, this the 29th day of July, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE